

367.627 Actions for injunctive relief and recovery of actual economic damages.

- (1) (a) Any person may maintain an action to enjoin continuing any act in violation of KRS 367.620 to 367.628 and, if injured by the act, may also maintain an action for the recovery of damages.
- (b) If the court finds based on evidence presented by the plaintiff that the defendant is violating or has violated any of the provisions of KRS 367.620 to 367.628, the court shall enjoin the defendant from continuing the violations.
- (c) It shall not be necessary that actual economic damages be alleged or proved by the plaintiff in order for the court to enjoin violations.
- (2) In addition to injunctive relief, the plaintiff in the action shall be entitled to recover from the defendant two (2) times the amount of any actual economic damages sustained.
- (3) The court may award reasonable attorneys' fees and costs to the owner of residential real estate who prevails in an action under subsection (1) of this section, in addition to any other relief the residential real estate owner may be entitled to under this section.
- (4) In addition to the provisions of this section, all of the remedies, powers, and duties provided for the Attorney General by this chapter shall apply with equal force and effect to any act declared unlawful by KRS 367.620 to 367.628.
- (5) Nothing in this section shall prohibit a person from pursuing the recovery of damages afforded elsewhere under the law.

Effective: June 29, 2017

History: Created 2017 Ky. Acts ch. 46, sec. 2, effective June 29, 2017.